



**SPENCER COUNTY PUBLIC SCHOOLS**  
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## Memorandum

To: Spencer County Schools Employees  
From: Jaclyn Ridsen-Smith, DoSE  
RE: Referral Process  
Date: April 20, 2010

The Individuals with Disabilities Education Improvement Act (IDEA 2004) was reauthorized in 2004. Due to the over-identification of students with disabilities, federal and state regulations for the referral process changed.

Section 3 of the Individuals with Disabilities Improvement Act states, *"Prior to, or as a part of the referral process, the child is provided appropriate, relevant research-based instruction and intervention services in regular education settings, with the instruction provided by qualified personnel; and Data-based documentation of repeated assessments of achievement or measures of behavior is collected and evaluated at reasonable intervals, reflecting systematic assessment of student progress during instruction, the results of which were provided to the child's parents. If the child has not made adequate progress after an appropriate period of time during which the conditions in subsection (3) of this section have been implemented, a referral for an evaluation to determine if the child needs special education and related services shall be considered."*

An ARC can be convened to discuss a referral at anytime, however based on the regulations for referral process above, an ARC should not accept a referral for an evaluation until data on the student's performance while receiving research-based interventions is available for review.

Research-based interventions should not be confused with accommodations. Accommodations are not interventions. An example of an accommodation is a reader. A reader reads a passage to the student because the student cannot read the passage. Since the student has the accommodation of a reader, the barrier (ability to read) has been removed while the accommodation is provided. By receiving a reader, the student is given an opportunity to access the content. Since the student with a disability has access to the content, the student has the opportunity to demonstrate his/her knowledge level of the content. Accommodations are extremely important and are necessary to level the playing field so that students can demonstrate their knowledge level of the content; however they are not research-based interventions because they do not teach students how to read. Research-based interventions teach the skill. **Section 3 of IDEA 2004 requires that the ARC reviews student progress on research-based interventions and implements data-based decision making as part of the referral process.**

**If you need assistance in developing an intervention plan for a student, please contact school psychologists Kelly Schweitzer or Holly Purvis to schedule a meeting.** It's imperative that the interventions are research-based and specific to the individual needs of the student. A "one size fits all" approach is not appropriate and often does not produce the data necessary for referral.

**Additional training on our special education referral process will be provided early next year. Please let me know if you have any questions or concerns.**